

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RONY YAKIR et al.

Application No.: 10/650,171

Filed: August 27, 2003

For: TECHNIQUES FOR MOVING
STUB FILES WITHOUT RECALLING
DATA

Examiner: Popovici, Dov

Art Unit: 2165

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. Copies of the non U.S. Patent references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Sujit B. Kotwal
Reg. No. 43,336

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 650-326-2422
SBK:crf
60422181 v1

Please type a plus sign (+) inside this box → ☒

RPTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/650,171
Filing Date	August 27, 2003
First Named Inventor	Yakir, R.
Group Art Unit	2165
Examiner Name	Popovici, Dov
Attorney Docket Number	021154-000710US

Total Number of Pages in This Submission

7

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Return receipt postcard 2) PTO/SB/08A and PTO/SB/08B forms 3) Thirteen (13) references
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. Total number of pages <u>does not</u> include cited references.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Sujit B. Kotwal	Reg No. 43,336
Signature	S. B. Kotwal	
Date	February 16, 2005	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

February 18, 2005

Typed or printed name Christopher R. Fitting

Signature

Date

February 18, 2005

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

60422218 v1

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1

of

3

Complete if Known

Application Number	10/650,171
Filing Date	August 27, 2003
First Named Inventor	Yakir, Rony
Art Unit	2171
Examiner Name	Popovici, D.
Attorney Docket Number	021154-000710US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-6,519,637	02-11-2003	Arkeketa, et al.	
	AB	US-6,493,756	12-10-2002	O'Brien, et al.	
	AC	US-6,460,070	10-01-2002	Turek, et al.	
	AD	US-6,453,325	09-17-2002	Cabrera et al.	
	AE	US-6,449,731	09-10-2002	Frey, Jr.	
	AF	US-6,415,280	07-02-2002	Farber et al.	
	AG	US-6,404,925	06-11-2002	Footo et al.	
	AH	US-6,339,793	01-15-2002	Bostian et al.	
	AI	US-6,330,610	12-11-2001	Doctor et al.	
	AJ	US-6,023,709	02-08-2000	Anglin et al.	
	AK	US-5,991,753	11-23-1999	Wilde	
	AL	US-5,983,318	11-09-1999	Willson et al.	
	AM	US-5,873,103	02-16-1999	Trede et al.	
	AN	US-5,819,296	10-06-1998	Anderson et al.	
	AO	US-5,708,806	01-13-1998	DeRose et al.	
	AP	US-5,471,677	11-28-1995	Imanaka	
	AQ	US-5,367,698	11-22-1994	Webber et al.	
	AR	US-5,333,315	07-26-1994	Saether et al.	
	AS	US-5,276,867	01-04-1994	Kenley et al.	
	AT	US-5,063,523	11-05-1991	Milan J. Vrenjak	
	AU	US-5,053,948	10-01-1991	DeClute et al.	
	AV	US-2005/0033757	02-10-2005	Greenblatt et al.	
	AW	US-2005/0021566	01-27-2005	Mu	
	AX	US-2005/0015409	01-20-2005	Wen et al.	
	AY	US-2004/0163029	08-19-2004	Foley et al.	
	AZ	US-2004/0083202	04-29-2004	Mu et al.	
	BA	US-2004/0054656	03-18-2004	Leung et al.	
	BB	US-2004/0039891	02-26-2004	Leung et al.	
	BC	US-2003/0115204	06-19-2003	Greenblatt et al.	
	BD	US-2003/0046313	03-06-2003	Leung et al.	
	BE	US-2003/0046270	03-06-2003	Leung et al.	
	BF	US-2002/0174139	11-21-2002	Midgley et al.	
	BG	US-2002/0138251	09-26-2002	Geary	
	BH	US-2001/0037475	11-01-2001	Bradshaw et al.	
	BI	US-2001/0034795	10-25-2001	Moulton et al.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	10/650,171	
			Filing Date	August 27, 2003	
			First Named Inventor	Yakir, Rony	
			Art Unit	2171	
Examiner Name	Popovici, D.				
Sheet	2	of	3	Attorney Docket Number	021154-000710US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	BJ	WO	05/001646		01-06-2005			<input type="checkbox"/>
	BK	WO	04/109663		12-16-2004			<input type="checkbox"/>
	BL	WO	04/109556		12-16-2004			<input type="checkbox"/>
	BM	WO	04/051481		06-17-2004			<input type="checkbox"/>
	BN	WO	04/021225		03-11-2004			<input type="checkbox"/>
	BO	WO	04/021224		03-11-2004			<input type="checkbox"/>
	BP	WO	04/021223		03-11-2004			<input type="checkbox"/>
	BQ	WO	04/021123		03-11-2004			<input type="checkbox"/>
	BR	WO	03/052620		06-26-2003			<input type="checkbox"/>
	BS	WO	03/025795		03-27-2003			<input type="checkbox"/>
	BT	WO	03/021441		03-13-2003			<input type="checkbox"/>

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

60422181 v1

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/650,171
				Filing Date	August 27, 2003
				First Named Inventor	Yakir, Rony
				Art Unit	2171
				Examiner Name	Popovici, D.
Sheet	3	of	3	Attorney Docket Number	021154-000710US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BU	BHATTACHARYA et al., "Coordinating Backup/Recovery and Data Consistency Between Database and File Systems," <i>Procs. 2002 ACM SIGMOD Int. Conf. on Management of Data</i> , pgs. 500-511 (2002).	
	BV	WELCH et al., "A Resilient Application-Level Failure Detection System for Distributed Computing Environments," <i>Computers and Communications</i> (1995) IEEE Symposium on 27-29 Jun 1995-96.	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.